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Counsel for Defendant

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF ALASKA

MICHAEL JOHN FRICCERO and	)	
GINA PERU FICCERO,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
ERIC WILLIAM FRICCERO,	)	
	)	
Defendant.	)	Case no. 3:14-cv-
	)	Alaska Court no. 3KO-14-00176CI

**NOTICE OF REMOVAL**

TO: The United States District Court for the District of Alaska.

Please take notice that, pursuant to 28 U.S.C. §§1332, 1441 and 1446, Defendant Eric William Friccero hereby removes this civil action from the Superior Court for the State of Alaska, Third Judicial District at Kodiak, to this court. The facts that support this removal are set forth below and in the attachments to this Notice.

1. Eric William Friccero is the sole defendant in a civil action brought in the Superior Court for the State of Alaska at Kodiak, entitled *Friccero, et al. v. Friccero*, Case no. 3KO-14-00176CI. A true and correct copy of the Complaint served on Defendant through agent for service of process Mark C. Manning is attached hereto as Exhibit A.

2. This state action was commenced on June 5, 2014. The Complaint was served on Anchorage defense counsel Mark C. Manning, who is agent for service of process, on June 11, 2014. Copies of the Complaint, Motion for Attachment and all other pleadings, papers and orders served on Defendant through Mr. Manning are attached here to as Exhibits A through F.

3. Michael John Friccero and Gina Peru Ficcero are residents of Kodiak, Alaska.

Eric William Friccero is a resident of the State of California. The amount in controversy in this action is at least \$145,000.00.

4. The action is one that may be removed pursuant to the provisions of 28 USC §§441 and 1446 because this court has original jurisdiction under 28 USC § 1332 and because this Notice of Removal is being filed within 30 days after service of a copy of the Complaint on Defendant. This court has jurisdiction under 28 USC § 1332 because (1) the Complaint alleges a civil action for breach of contract entered into between Plaintiffs, or one of them, and Defendant, concerning an Alaska limited entry commercial fishing permit, (2) the sum sought in the Complaint is at least \$145,000.00, so the sum in controversy exceeds \$75,000.00, and (3) the action is between Plaintiffs who are residents of Alaska and Defendant, who is a resident of California.

WHEREFORE, Defendant Eric William Friccero prays that this cause proceed in this Court as an action properly removed thereto.

DATED at Anchorage, Alaska, this 12th day of June, 2014.

s/ Mark C. Manning

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I certify that a copy of the foregoing  
has been served by mail and email on  
06 / 12 /14 on

Jill C. Wittenbrader, Esq.  
506 Marine Way, Ste. 3  
Kodiak, AK 99615

s/ Mark C. Manning

*Friccero v. Friccero*  
3:14-cv-